

**Full Planning Application 04/04520/FUL**  
**at**  
**321 Lanark Road**  
**Edinburgh**  
**EH14 2LQ**

---

**Development Quality Sub-Committee**  
**of the Planning Committee**

---

**1 Purpose of report**

To consider application 04/04520/FUL, submitted by Mr Buston. The application is for: **Erect two new dwelling houses**

It is recommended that this application be **GRANTED**

**2 The Site and the Proposal**

**Site description**

The application relates to 0.48 hectares site located on the east side of Lanark Road opposite the junction with Kingsknowe Road South. The site lies to the rear of a large dwelling and detached garage and slopes down from Lanark Road to the Water of Leith Walkway to the east. The house is at a lower level than Lanark Road and the garage is at road level. A tennis court lies within the north eastern part of the site. Mature trees run along the rear boundary and along the access.

The area is characterised by low density dwellings in mature gardens. There has been an infill development on adjacent site to the south east.

The site lies within the Colinton Conservation Area

## Site history

The site has been subject of a number of planning applications. Some of these relate to parts of the site or the whole site.

April 1964 Outline planning permission was granted for a house (444/64).

July 1979 Planning permission was granted to alter the boundary wall (184/79).

October 1979 An outline planning application to erect houses and garages was withdrawn (1324/79).

June 1981 Planning permission was granted for a fence (1011/81).

September 1983 Planning permission was granted to floodlight the tennis court (1597/83).

April 1987 Outline planning permission was granted for 2 houses in the rear garden (amended from 3 houses) (2296/86).

April 1988 Outline planning permission was granted for a house in the side garden (194/88).

September 1990 Reserved matters consent was granted for 2 houses of the outline consent 2296/86 (1197/90).

June 1991 A variation of consent 1197/90 was granted.

February 1995 Planning permission in outline was refused for a nursing home within rear garden (1454/93) for the following reasons:

- (VC3) The proposals would be contrary to the South West Edinburgh Local Plan Policy H4 as they would result in new development in the garden of a villa in Colinton Conservation Area which is unsympathetic in scale and detrimental to the landscape quality and character of the area.
- (Y18) The proposed development would be detrimental to the rural character, setting, and visual amenity of the Water of Leith Valley and its Walkway.

March 1997 Committee resolved to oppose an appeal against non-determination for the erection of 48 flats on this site and the site of 305 Lanark Road for the reasons that it would be an excessive increase in density, out of character with the area, visually intrusive, out of scale, contrary to Policies H4 and E3, prejudice to trees, and contrary to Villa Policy (A02846/96).

June 1997 Planning permission was refused to alter and extend the existing house to form a nursing home (A00134/94) for the reason:

- (VG8) The proposals are contrary to the planning authority's adopted guidelines in respect of nursing homes.

June 1997 At appeal against deemed refusal for erection of 48 flats and demolition of two villas (2846/96) the Reporter noted:

"That some change in the appeal site might be acceptable if it did not alter the character of the site or the conservation area more generally.....the present scheme is for too drastic a change that would alter the character of this locality considerably. This development would also include the loss of some existing trees with a consequent loss of amenity and privacy for adjoining owners"; and

"Regarding the deemed refusal of conservation area consent for the demolition of the buildings.....I see both houses and their outbuildings are appropriate for the site and for the conservation area. Both are of a very high standard and are capable of continued use.....Both houses and their gardens continue to exert an entirely beneficial influence upon the locality and the conservation area".

Appeal dismissed (P/PPA/230/53).

May 1999 Planning permission granted for 3 dwellings with integral garages and garage attached to existing dwellinghouse.

August 2000 Planning permission was granted for the erection of two dwelling houses and associated garages Ref 00/00973/FUL

December 2004 An application for planning permission was withdrawn for the erection of new house and lodge Ref 04/00502/FUL

### **Description of the Proposal**

This amended application relates to a previous planning application for the erection of three dwelling houses and associated garages (Ref.00/00973/FUL) which was granted in August 2000. Work has started on the site. This application proposes the erection of two detached dwelling houses located to the rear of the existing house. House A is 2 and half storeys in height. On the ground floor are a kitchen, breakfast area, utility, lounge dining room, study, and cloakroom. On the upper floor are master bedroom, ensuite, bedroom 2, bedroom3, bedroom 4, 2 ensuites and dressing room. There are two bedrooms and bathroom within the roof space.

House B lies to the southern part of the site and is also 2 and half storeys in height. On the ground floor is a double garage, dining room, family room, breakfast area, utility, kitchen, lounge. On the first floor are master bedroom, bedroom 2, bedroom 3, bedroom 4, bathroom, dressing room and ensuite. There are two bedrooms and bathroom within the roof space on the second floor.

The site would be accessed from Lanark Road by a separate access from the existing house.

The proposed materials are render/dressed and split stone for the outside walls. Monobloc paviors are proposed for the parking areas/driveway surfaces. Belgium red clay tiles are proposed for the roof covering to match the roof covering of the existing building. Timber windows and doors. Stone/render for the boundary walls.

### **Scheme 1**

House A is two and a half storeys in height and occupies the northern part of the site to the south of the existing tennis court. On the ground floor are a double garage, family room, breakfast area, dining room, kitchen, study, and lounge. On the first floor is a dressing room, master bedroom, bathroom, bedroom 2 ensuite, bedroom 3 ensuite, bedroom 4 ensuite. Within the roof space bedroom 5 and 6 and a bathroom are proposed.

## **3 Officer's Assessment and Recommendations**

### **DETERMINING ISSUES**

The determining issues are

- Do the proposals comply with the development plan;
- Do the proposals preserve or enhance the character and appearance of the conservation area? There being a strong presumption against the granting of planning permission is this is not the case;
- If the proposals do comply with the development plan, are there any compelling reasons for not approving them;
- If the proposals do not comply with the development plan are there any compelling reasons for approving them?

### **ASSESSMENT**

To address the determining issues, the Committee needs to consider whether

- a) The proposed use is acceptable in this location
- b) Whether the scale and design are satisfactory given the setting of the site and whether the proposals are detrimental to the conservation area
- c) Whether the proposals are detrimental to the residential amenity or road safety.

a) Planning permission was granted for residential development on the site in August 2000 and is still within its 5 year implementation period (Ref. 00/00973/FUL). The principle of developing the site for residential development is therefore considered acceptable and complies with local plan allocation.

b) The positioning of the houses has changed from the previously approved application as the proposed houses are further away from the existing tree belt that marks the south eastern boundary of the site. The proposed house A has been reduced and is more in scale with the spatial pattern of the conservation area and house B is in keeping with the previously approved design. The houses have roofs of differing heights but the overall height is the same.

Although the dwellings are large they reflect the design principles and character of the original house and their development would reflect and conserve the character of the conservation area. The proposed materials are in keeping with those of the conservation area. Their positioning within the site would retain the existing tree belt which runs along the banks of the Water of Leith.

c) Transport have confirmed that the application is acceptable and there would be no road safety issues.

In terms of the non-statutory guidelines on Daylighting, Sunlight and Privacy, there would be a 25 metre window to window distance from the original house to house B. House A would lie 30 metres south east of the original house. The site slopes down towards the Water of Leith and the residential amenity of the existing house would be retained. There is a difference in ground level from west to east resulting in House B in a more elevated position than House A. The two houses fail to achieve the 18 metres window separation distance required by the guidelines as there would be separation distance of 11 metres with planting between marking the plot boundaries. This planting would give privacy to the proposed ground floor windows, but there would be overlooking from the first floor bedroom windows. There would be overshadowing from house B and this would fall onto the access road serving the neighbouring properties to the south.

In conclusion the proposals comply with the development plan, would not have an adverse affect on the character or appearance of the conservation area and would not have a detrimental impact on residential amenity or road safety.

It is therefore recommended that the Committee approves this application.

Alan Henderson

**Alan Henderson**  
Head of Planning and Strategy

<b>Contact/tel</b>	Jennifer Zochowska - Monday To Wednesday Only on 0131 529 3793 (FAX 529 3716)
<b>Ward affected</b>	25 - Parkhead
<b>Local Plan</b>	South West Edinburgh Local Plan/Draft West Edinburgh Local Plan
<b>Statutory Development Plan Provision</b>	Mainly Residential
<b>Date registered</b>	17 January 2005
<b>Drawing numbers/ Scheme</b>	19-36

**Advice to Committee Members and Ward Councillors**

The full details of the application are available for viewing on the Planning and Building Control Portal: [www.edinburgh.gov.uk/planning](http://www.edinburgh.gov.uk/planning).

If you require further information about this application you should contact the following Principal Planner, Helen Martin on 0131 529 3517. Email: [helen.martin@edinburgh.gov.uk](mailto:helen.martin@edinburgh.gov.uk).

If this application is not identified on the agenda for presentation, and you wish to request a presentation of this application at the Committee meeting, you must contact Committee Services by 9.00a.m. on the Tuesday preceding the meeting on extension 4229/4239. Alternatively, you may e-mail [blair.ritchie@edinburgh.gov.uk](mailto:blair.ritchie@edinburgh.gov.uk) or [sarah.bogunovic@edinburgh.gov.uk](mailto:sarah.bogunovic@edinburgh.gov.uk)

**Application Type**

**Application Address:**

**Proposal:**

**Reference No:** 04/04520/FUL

---

## **Consultations, Representations and Planning Policy**

### **Consultations**

#### **Environmental and Consumer Services**

*Environmental Health has no objections to this proposed development subject to the following condition:*

*Prior to the commencement of construction works on site:*

*a) A site survey (including intrusive investigation where necessary) must be carried out to establish to the satisfaction of the Head of Planning, either that the level of risk posed to human health and the wider environment by contaminants in, on or under the land is acceptable, or that remedial and /or protective measures could be undertaken to bring the risks to an acceptable level in relation to the development; and*

*b) Where necessary, a detailed schedule of any remedial and /or protective measures, including their programming, must be submitted to and approved in writing by the Head of Planning.*

*Any required remedial and /or protective measures shall be implemented in accordance with the approved schedule and documentary evidence to certify those works shall be provided to the satisfaction of the Head of Planning*

#### **Transport**

*I have no objections to the application.*

#### **Longstone Community Council**

*Longstone Community Council has no comments to make on this application*

## **Representations**

The application was advertised on 28th January 2005 letters of objection were received from Colinton Amenity Association, Architectural Heritage Society of Scotland, and from two adjoining neighbours. The grounds of objection relate to

- Over development of the site. The site is not large enough to accommodate two large six bedroomed houses
- Loss of protected trees
- Raised site level
- Scale of proposed houses do not conserve or enhance the character of the area
- No details of screening to the Water of Leith

***Full copies of the representations made in respect of this application are available in Group Rooms or can be requested for viewing at the Main Reception, City Chambers, High Street.***

## **Planning Policy**

The site lies within a Mainly Residential Area of the South West Edinburgh Local Plan where the existing residential character and amenities are to be protected. The site also lies within the Colinton Conservation Area. The site lies within the Urban Area of the Draft West Edinburgh Local Plan

### Relevant Policies:

#### **South West Edinburgh Local Plan**

Policy E3 establishes that within all Conservation Areas, the Council will exercise careful control over all development in order to preserve and enhance the special character of the areas. Demolition of buildings and structures will not be permitted if likely to affect adversely the character of the area.

Policy H3 expects new housing development to harmonise with, and reflect the particular character of, the surrounding area, if appropriate, and subject to a number of criteria.

Policy H4 imposes special controls over new housing development in the garden grounds of villas in Conservation Areas, of listed buildings, other garden grounds of landscape quality and areas of traditional and largely uniform suburban character, in order to protect character and amenity.

Policy E17 seeks to protect significant individual and groups of trees and does not permit development within 20 metres of the trunk of a protected tree or within 10 metres of its canopy, whichever is the greater. Where necessary, Tree Preservation Orders shall be sought.

The Colinton Conservation Area Character Appraisal emphasises the high quality architecture, the predominant use of traditional building materials, the strong sense of place derived from the containment within a rural setting, and the prominent views to the Pentland Hills.

### **Draft West Edinburgh Local Plan**

Policy DQ6 states that new development should make a positive contribution to the quality, accessibility and safety of the environment, having regard to the character, opportunities and constraints of the site and its surroundings and the basic character of the city

Policy DQ17 states that development or redevelopment proposals within a conservation area will only be permitted where the proposal is of a high design standard and would preserve or enhance the character or appearance of the area.

Non-statutory guidelines 'DAYLIGHTING, PRIVACY AND SUNLIGHT' set criteria for assessing proposals in relation to these issues.

Non-statutory guidelines on 'HOUSING DEVELOPMENT IN GARDEN GROUNDS' supplement local plan housing, conservation and design policies, and provide additional guidance on this subject.

Non-statutory guidelines on 'PARKING STANDARDS' set the requirements for parking provision in developments.

**Application Type**

**Application Address:**

**Proposal:**

**Reference No:** 04/04520/FUL

---

## **Conditions/Reasons associated with the Recommendation**

### **Recommendation**

It is recommended that this application be **GRANTED**

### **Conditions**

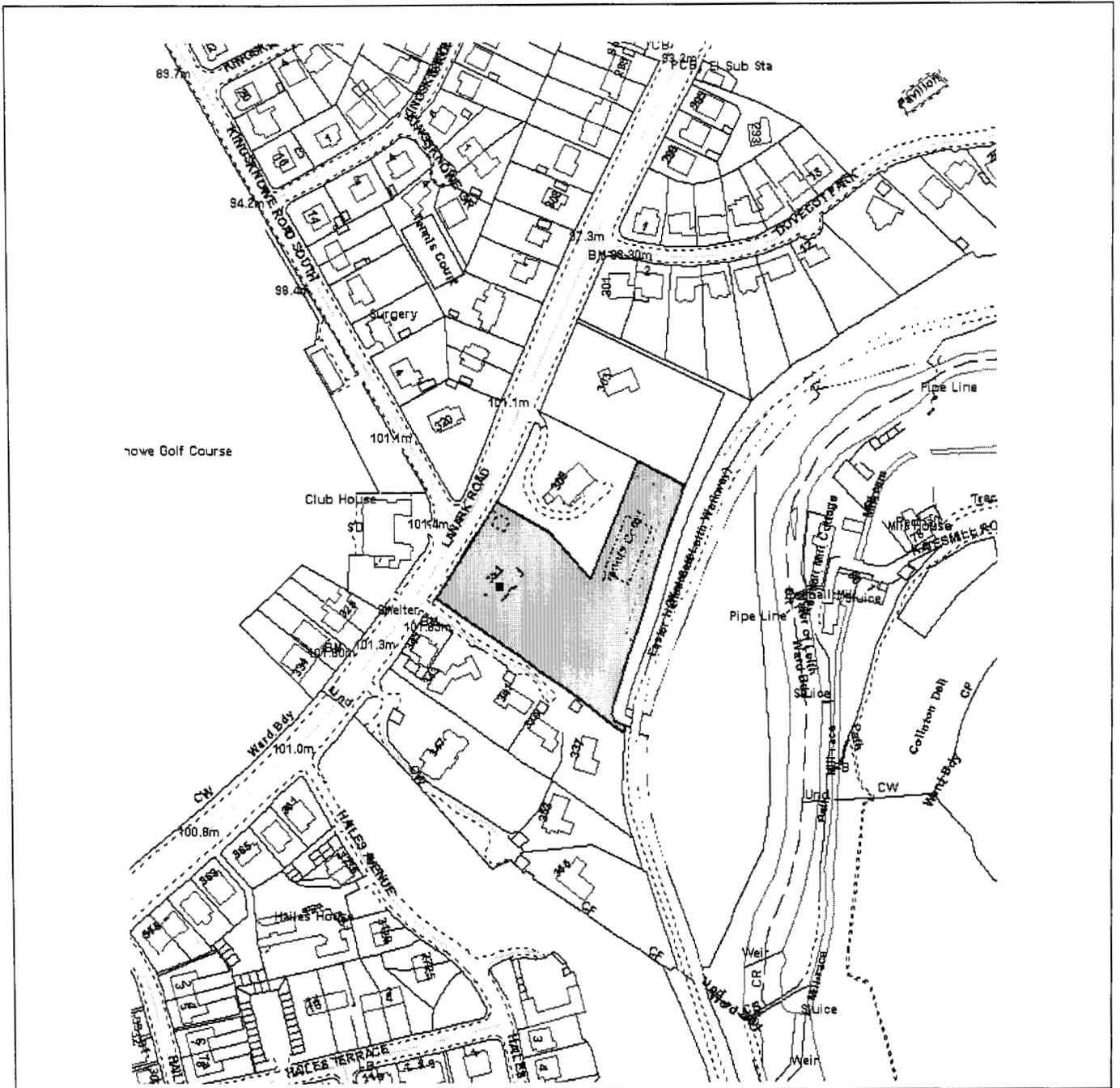
1. The development hereby permitted shall be commenced no later than five years from the date of this consent.
2. A detailed specification, including trade names where appropriate, of all the proposed external materials shall be submitted to and approved in writing by the Head of Planning & Strategy before work is commenced on site; Note: samples of the materials may be required.
3. A fully detailed landscape plan, including details of all hard and soft surface and boundary treatments and all planting, shall be submitted to and approved in writing by the Head of Planning & Strategy before work is commenced on site.
4. The approved landscaping scheme shall be fully implemented within six months of the completion of the development, and thereafter shall be maintained by the applicants and/or their successors to the entire satisfaction of the planning authority; maintenance shall include the replacement of plant stock which fails to survive, for whatever reason, as often as is required to ensure the establishment of the approved landscaping scheme.
5. No trees on the application site shall be lopped, topped or felled without the prior written approval of the Head of Planning & Strategy.
6. A landscape management plan, including tree replanting, shall be submitted to and approved in writing by the Head of Planning before work is commenced on site; the approved plan shall be implemented to the Head of Planning & Strategy's satisfaction.

## **Reasons**

1. In order to accord with the statutory requirements of the Town and Country Planning (Scotland) Acts.
2. In order to enable the planning authority to consider this/these matter/s in detail.
3. In order to ensure that a high standard of landscaping is achieved, appropriate to the location of the site.
4. In order to ensure that a high standard of landscaping is achieved, appropriate to the location of the site.
5. In order to safeguard protected trees.
6. In order to safeguard protected trees.

---

**End**



Reproduction from the Ordnance Survey mapping with permission of the Controller of Her Majesty's Stationery Office © Crown Copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings. Licence Number 100023420 The City of Edinburgh Council 2004.

# **PLANNING APPLICATION**

<b>Address</b>	<b>321 Lanark Road, Edinburgh, EH14 2LQ</b>		
<b>Proposal</b>	<b>Erect two new dwelling houses</b>		
<b>Application number:</b>	<b>04/04520/FUL</b>	<b>WARD</b>	<b>25- Parkhead</b>
<b>THE CITY OF EDINBURGH COUNCIL</b>			
<b>THE CITY DEVELOPMENT DEPARTMENT- PLANNING &amp; STRATEGY</b>			